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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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EQUAL EMPLOYMENT OPPORTUNITY : 07 Civ. 8598 (SHS)  
COMMISSION,

: Plaintiff,

: -against- ORDER

BALLET THEATRE FOUNDATION, INC.,

: Defendant.

-----X  
TO THE CLERK OF COURT:

1. Pursuant to the Civil Justice Expense and Delay Reduction Plan this case has been determined to be:

A. Not eligible for mediation because the case is:  
 i. Not a case in which money damages only have been sought.  
 ii. A social security case.  
 iii. A tax matter.  
 iv. A Pro Se case.  
 v. A prisoner's civil rights case.  
 vi. A White Plains case.

B. Not eligible for mediation as otherwise determined by the Court.

C. Eligible for mediation subject to the limitations and restrictions noted below.

If the case has been determined eligible for mediation:

I. All issues are eligible.  
 ii. Only specific issue(s) is eligible (cite issue(s)).

If all or a specific issue(s) of a case have been determined eligible for mediation, you are directed to follow the Civil Justice Expense and Delay Reduction Plan and process for mediation all eligible civil cases or parts thereof which have been designated expedited and two-thirds of all other eligible civil cases or parts thereof (randomly selected) designated standard or complex.

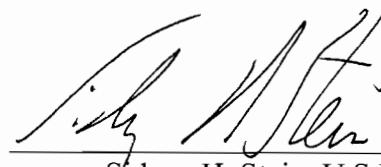
You are further directed to report to this Court the result of the mediation conference or the exclusion of the case or part thereof from mediation.

The entire mediation process is confidential. The parties and the Mediator may not disclose information regarding the process, including settlement terms, to the Court or to third persons unless all parties otherwise agree. The identity of the Mediator is not to be disclosed to the Court. However, persons authorized by the Court to administer or evaluate the mediation program may have access to information necessary to so administer or evaluate the program and parties, counsel and mediators may respond to confidential inquiries or surveys by said persons authorized by the Court to administer or evaluate the mediation program.

The mediation process shall be treated as a compromise negotiation for purposes of the Federal Rules of Evidence and state rules of evidence. The Mediator is disqualified as a witness, consultant, attorney, or expert in any pending or future action relating to the dispute, including actions between persons not parties to the mediation process.

Dated: New York, New York  
December 17, 2007

SO ORDERED:



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Sidney H. Stein, U.S.D.J.